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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/767,859	01/24/2001	Yoshiyuki Tanaka	Q62829	3370

7590 02/10/2005

SUGHRUE, MION, ZINN,  
MACPEAK & SEAS, PLLC  
2100 Pennsylvania Avenue, N.W.  
Washington, DC 20037

EXAMINER
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SCOTT, JAMES R

ART UNIT	PAPER NUMBER
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2832

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/767,859	<b>Applicant(s)</b> TANAKA, YOSHIYUKI	
	<b>Examiner</b> James R. Scott	<b>Art Unit</b> 2832	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 1/24/2001, 4/20/2001 and 7/17/2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 July 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>01242001, 07172002</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Priority***

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Drawings***

The Draftsman has approved the drawings filed on 7/17/2002 noting the attached "Notice of Draftsperson's Patent Drawing Review," PTO-948.

The drawings are objected to by the Examiner because figures 4 and 5 should be labeled as – PRIOR ART--.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of

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the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### **General Objections-Abstract, Specification and Claims**

#### **Abstract**

The abstract of the disclosure is objected to because the abstract does not specify the function of the spiral cable. Does the cable return the lever to its neutral position? Does the cable function as an electrical continuous connector? Does the spiral cable perform dual functions previously mentioned? The phraseology -- of a steering -- is objected to since the phraseology is not descriptive of the components or units such as a steering wheel, steering column, steering column, and steering unit. Any other errors applicant may become aware of should be corrected. Correction is required. See MPEP § 608.01(b).

#### ***Specification***

35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms, which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are: The phraseology -- for the steering—all occurrences—does not clearly define the device, unit, assembly, shaft associated with the word -- steering---. Steering is not a spiral cable, which may be used as a continuous

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electrical connector. In paragraphs [005] and [008] refer to the mentioned Japanese patents as having corresponding equivalent U.S. patent documents. This can be achieved by a summary sentence at the end of the paragraphs. The spiral cable should be specifically referred to since this component is a critical element in the device claimed by applicant. State its electrical and /or mechanical function(s) in the specification. If the spiral cable is part of the electrical unit; for example, the signal transmitting unit or steering wheel and / or steering column mounted multiple switch unit including cancel cam be more specific in describing the nature of the components of the device being disclosed. It is nearly impossible to ascertain the interaction of the various components as stated in the present specification, which appears to be a literal translation of its priority patent document. In general, correct any idiomatic errors that may be occurring in the specification and provide a clean copy of the amended specification in idiomatic English.

Include a statement that no new matter has been entered.

### **Claims**

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims fail to clearly describe the interaction of parts. Why is the spiral cable located between the two parts of the housing and its ends

extend from the upper part and the body portion respectively? The phraseology" –a cancel cam for pressing the cancel portion of a cancel mechanism.....upper case, and---" is not completely descriptive of the structure associated with a turn signal switch assembly which is either manually reset or reset upon the completion of a turn. The cancel mechanism appears to be a unit, which is not positively associated with other structure such as a switch or a turn signal lever.

#### Remarks

It has been nearly impossible to ascertain the relationship of components as claimed and in particular the meets and bound of the invention.

#### Cited References

Sundeen et al and Mumford et al disclose a dust moisture excluding apparatus in a switch assembly. Masuda et al, Matsumoto and Sugata constitute the U.S. patent family equivalents to the two Japanese and sole European patent documents cited by applicant in the information disclosure statements. Applicant also cites the U.S. patent document to Uleski et al including a plural lever switch assembly, a housing containing a cable with ends protruding out of the lower and upper ends of the housing and a steering mechanism associated with the aforementioned assemblies.

#### Summary

Claims 1-4 are rejected.

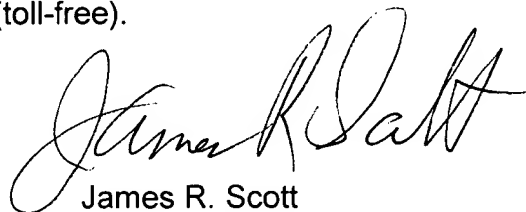
Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R. Scott whose telephone number is (571) 272-1999. The examiner can normally be reached on Monday-Friday 1-5 p.m..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin G. Enad can be reached on (571) 272-1990. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JRScott: jrs  
January 26, 2005

A handwritten signature in black ink, appearing to read "James R. Scott", is written over the printed name and title.

James R. Scott  
Primary Examiner  
GAU 2832